

REMARKS/ARGUMENTS

In response to the Examiner's Office Action of August 19, 2009 issued in relation to the present Patent Application, the Applicant submits Amendments to the claims, and the below Remarks.

Claims 8, 9, 33, 34, 48-50, 52, 53, 57 and 59-60 are presented for examination. Claims 57 and 59 are independent claims.

Regarding 35 USC 112 Rejection

Claims 8, 9, 33, 34, 48-50, 52, 53, 57 and 59-60 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 57 and 59 have been amended to remove the limitation "*associated with a provider of the product item*" and include a further step of retrieving, using the product item identifier, a description of coded data portions on the surface. The description is then used to map the position information to a communication request.

Allowable subject matter

Claims 8, 9, 33, 34, 48-50, 52, 53, 57 and 59-60 are allowable over the prior art.

It is submitted that the claims are still allowable over the prior art following the amendments since additional limitations have been added. The limitation which has been removed was determined to be unclear and as a result was not given patentable weight.

CONCLUSION

It is respectfully submitted that all of the Examiner's rejections have been traversed. Accordingly, it is submitted that the present application is in condition for allowance and reconsideration of the present application is respectfully requested.

Very respectfully,

Applicant/s:



Kia Silverbrook



Paul Lapstun

C/o: Silverbrook Research Pty Ltd
393 Darling Street
Balmain NSW 2041, Australia

Email: patentdept@silverbrookresearch.com

Telephone: +612 9818 6633

Facsimile: +61 2 9555 7762